

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

MOTORS LIQUIDATION COMPANY, f/k/a
GENERAL MOTORS CORPORATION, *et al.*,

Chapter 11

Case No. 09-50026 (MG)
(Jointly Administered)

Debtors.

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MOTORS LIQUIDATION COMPANY AVOIDANCE
ACTION TRUST, by and through the Wilmington Trust
Company, solely in its capacity as Trust Administrator and
Trustee,

Adversary Proceeding

Plaintiff,

Case No. 09-00504 (MG)

against

JPMORGAN CHASE BANK, N.A., *et al.*,

Defendants.

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**STIPULATION AND ORDER DISMISSING ADVERSARY PROCEEDING
AGAINST GOLDENTREE LOAN OPPORTUNITIES III, LTD.
AND GOLDENTREE LOAN OPPORTUNITIES IV, LTD.**

WHEREAS, on May 20, 2015, Plaintiff filed a First Amended Adversary Complaint for
(1) Avoidance of Unperfected Lien, (2) Avoidance and Recovery of the Postpetition Transfers,
(3) Avoidance and Recovery of Preferential Payments, and (4) Disallowance of Claims by
Defendants (“Amended Complaint”) (ECF Doc. # 91) and thereafter served the Amended
Complaint on, among others, defendants GoldenTree Loan Opportunities III, Ltd. (“GoldenTree
III”) and GoldenTree Loan Opportunities IV, Ltd. (“GoldenTree IV”, and together with
GoldenTree III, the “Defendants”);

WHEREAS, the Amended Complaint alleges that: (i) on or about May 27, 2009,
GoldenTree III received a pre-petition transfer in the amount of \$69,945.48 and GoldenTree IV

received a pre-petition transfer in the amount of \$69,851.34 (together, the “Pre-Petition Transfers”) and (ii) on or about June 30, 2009, GoldenTree III received a post-petition transfer in the amount of \$1,613.96 and GoldenTree IV received a post-petition transfer in the amount of \$1,611.79 (together, the “Post-Petition Transfers”, and together with the Pre-Petition Transfers, the “Transfers”); and

WHEREAS, the Amended Complaint alleges that the Transfers were made pursuant to a certain term loan agreement, dated as of November 29, 2006, as amended by that certain first amendment dated as of March 4, 2009 (the “Term Loan Agreement”);

WHEREAS, on July 27, 2016, Defendants filed an Answer to the Amended Complaint (ECF Doc. # 691); and

WHEREAS, on November 17, 2016, the Court entered a stipulation and order dismissing with prejudice the claims against Defendants relating to the Pre-Petition Transfers (ECF Doc. # 788);

WHEREAS, Defendants represent that, to the best of their knowledge, they did not receive any funds relating to the Term Loan Agreement on or after June 30, 2009, other than the Post-Petition Transfers;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between counsel for the parties, that Defendants are dismissed from this adversary proceeding and any and all claims against Defendants arising out of or relating to the Term Loan Agreement are dismissed with prejudice.

Dated: New York, New York
July 10, 2018

New York, New York
July 10, 2018

BINDER & SCHWARTZ LLP

HAHN & HESSEN LLP

By: /s/ Eric B. Fisher
Eric B. Fisher
Neil S. Binder
Lindsay A. Bush
Lauren K. Handelsman
366 Madison Avenue, 6th Floor
New York, New York 10017
Tel: (212) 510-7008
Fax: (212) 510-7299
Email: efisher@binderschwartz.com

By: /s/ Mark T. Power
Mark T. Power
Alison M. Ladd
488 Madison Avenue
New York, New York 10022
Tel: (212) 478-7200
Email: mpower@hahnhausen.com
Email: aladd@hanhausen.com

*Attorneys for the Motors Liquidation
Company Avoidance Action Trust*

*Attorneys for GoldenTree Loan Opportunities III,
Ltd. and GoldenTree Loan Opportunities IV, Ltd.*

IT IS SO ORDERED.

Dated: July 16, 2018
New York, New York

/s/Martin Glenn
MARTIN GLENN
United States Bankruptcy Judge